

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 14 2000

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed DEC 14 2000

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The applicant **DAVID V. & JACQUELYN M. BURGER** hereby makes application for permission to change the **existing place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District Serial No. 179-1-C & 148-6-C United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183; Both in the Federal District Court of Nevada**

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1. The source of water is **Truckee River & Carson River**
2. The amount of water to be changed **11.20 ac. ft.**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Section 33, T.19N., R.26E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **a portion of the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 23, T.18N., R.28E., M.D.B.&M. (T.C.I.D. Serial No. 148-6-C) a total of 3.20 ac.**
8. Existing place of use **a portion of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 35, T.18N., R.28E., M.D.B.&M. (T.C.I.D. Serial No. 179-1-C) a total of 3.20 ac.**
9. Use will be from **As Decreed**
10. Use was permitted from **As Decreed**
11. Description of proposed works **Dam, Canal and Ditches**
12. Estimated cost of works **Complete**
13. Estimated time required to construct works **Complete**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks: **Water will be delivered via the "" Lateral.**

By s/ **Barry A. Fitzpatrick**  
**Barry A. Fitzpatrick, Lumos & Associates**  
**137 Keddle Street**  
**Fallon, Nevada 89406**

Compared gkl/ cmf ds/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 11.2 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

April 26, 2005

Proof of the application of water to beneficial use shall be filed on or before:

May 26, 2005

Map in support of proof of beneficial use shall be filed on or before:

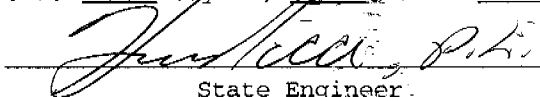
May 26, 2005

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 26th day of, April A.D. 2001

  
State Engineer

Completion of work filed N/A

Proof of beneficial use filed AUG 04 2003

Cultural map filed \_\_\_\_\_

Certificate No. 16253 Issued NOV 17 2003